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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Donoho *et al.* Group Art Unit: 1647
Application No.: 09/800,103 Examiner: R. S. Landsman
Filed: 03/06/01
Title: Polynucleotides and Polypeptides Encoding Human Transporter Proteins Atty. Docket No. LEX-0143-USA

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MS AF
Commissioner for Patents
Alexandria, VA 22313

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Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner in the Final Office Action mailed on March 19, 2003 (Paper No. 14) and affirmed in the Advisory Action mailed June 5, 2003 (Paper No. 16), finally rejecting claims 1-3, 13 and 14.

The fee as required under 37 C.F.R. § 1.17(b) for filing this Notice of Appeal is \$160.00, and the Commissioner is hereby authorized to deduct this fee from Applicants' Representatives' Deposit Account No. 50-0892. Applicants believe no fees in addition to the fees for filing the Notice of Appeal are due in connection with this communication. However, should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason related to this communication, the Commissioner is authorized to charge any underpayment or credit any overpayment to Lexicon Genetics Incorporated Deposit Account No. 50-0892.

06/24/2003 AWONDAF1 00000065 500892 09800103

01 FC:2401 160.00 DA

June 19, 2003
Date

Respectfully submitted,

Lance K. Ishimoto by David W. Haber
Lance K. Ishimoto Reg. No. 41,866
Agent For Applicants

DAVID W. HABER
Reg. No. 41,071



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LEXICON GENETICS INCORPORATED
(281) 863-3110



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Please type a plus sign (+) inside this box → ☒

PFO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/800,103	
	Filing Date	03/06/01	
	First Named Inventor	Donoho	
	Group Art Unit	1647	
	Examiner Name	R. S. Landsman	
Total Number of Pages in This Submission	4	Attorney Docket Number	LEX-0129-USA

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): return postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		



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PATENT TRADEMARK OFFICE

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Lance K. Ishimoto Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	Lance K. Ishimoto by David W. Hsiao Reg. No. 41,071
Date	June 19, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, MS AF, P.O. Box 1450, Alexandria, VA 22313 on this date: June 19, 2003			
Typed or printed name	Nancy Stacey		
Signature		Date	June 19, 2003

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FEE TRANSMITTAL for FY 2003 <i>Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/800,103
		Filing Date	03/06/01
		First Named Inventor	Donoho
		Examiner Name	R. S. Landsman
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Group Art Unit	1647
TOTAL AMOUNT OF PAYMENT		(\$)	160.00
		Attorney Docket No.	LEX-0143-USA

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METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																																											
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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Lance K. Ishimoto	Registration No. (Attorney/Agent)	41,866
Signature	<i>Lance K. Ishimoto by David W. Haber</i>	Telephone	(281) 863-3333
	<i>DAVID W. HABER REG. NO. 44,071</i>	Date	June 19, 2003

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